

State Board of Education
October 20, 2021 Meeting

Rule Series 2200 Update

1. Rule Series 2200 was opened in order to make changes mandated by Act 173 of 2018 relating to enhancing the effectiveness, availability, and equity of services provided to students who require additional support.
2. The bulk of changes to the Rule Series were crafted by the Act 173 Advisory Group. This Group, which was first convened in September 2019 and comprised of a variety of stakeholders, held almost monthly public meetings to craft changes to the Rule Series that addressed the issues raised by Act 173.
3. In addition to the Act 173 Advisory Group, The State Board formed a subcommittee through the winter and spring of 2021 and invited members of the public, as well as various stakeholders, to its meetings with the goal of identifying “quick wins” that could be incorporated into the Rule Series without disrupting the Act 173 rule-making process.
4. A third working group committee was also formed between various stakeholders to develop mutually agreeable language around the issue of rate setting for therapeutic independent schools.
5. All proposed changes have been distributed and discussed at our monthly State Board meetings. In May, the State Board voted to accept the changes to Rule Series 2200 that were recommended to it by the various Act 173 subcommittees, adopt the proposed revisions of Rule Series 2200, and initiate formal APA rulemaking.
6. The proposed revisions of Rule Series 2200 were brought before the Interagency Committee of Administrative Rules on July 12th and submitted to the Secretary of State, thus commencing the formal rule-making process.
7. Under 3 V.S.A. §840, the State Board must hold at least one public comment hearing. The Rule Series 2200 Subcommittee decided to schedule four hearings at different times and different days of the week to provide the greatest opportunity for members of the public to provide comments. All four meetings provide both a physical and virtual location. The hearing dates and times are as follows:
 - a. **8/26/21 at 12pm**. This hearing included testimony from a member of the public as well as the Agency of Education; testimony is summarized and attached separately.
 - b. **9/15/21 at 4pm**
 - c. **10/20/21 at 4:30pm** - Dial-in information for Wednesday, October 20: Number: 1-802-828-7667, Conference ID: 226 736 412#
 - d. **10/26/21 at 7pm** - Dial-in information for Tuesday, October 26: Number: 1-802-828-7667, Conference ID: 187 800 895#
8. Another opportunity for members of the public who wish to comment on the proposed changes to the rules is to email comments to SBE.PublicComment@vermont.gov. The public comment period will be open until November 5, 2021.

Rule Series 7000 Update

1. Rule Series 7000 is now open as an offshoot of work performed by the Rule Series 2200 Subcommittee.
2. In March 2021, the Executive Director of The Association of Independent Schools in New England (“AISNE”) asked that the State Board include it on the list of recognized accrediting entities in Rule 7320. Currently, accrediting agencies that are recognized by the State Board in Rule 7320 are cross-referenced in Rule 2223.
3. AISNE representatives subsequently attended a meeting of the State Board's Rule 2200 Subcommittee where they presented an overview of the organization and responded to questions.
4. The Rule 2200 Subcommittee had further discussion of AISNE’s request at its meeting on August 2, 2021, and also considered the need to update the other names currently on the Rule 7320 list, its intent to shift the topic of recognized accrediting agencies out of Rule 7320 and into the Rule 2200 Series, and the desire not to delay the recognition of AISNE. The Executive Director of the VT Independent Schools Association was present and indicated the Association's support for recognizing AISNE as soon as possible.
5. At its August 18, 2021 meeting, the State Board reviewed a proposed, multi-step process to incorporate recognition of accrediting agencies into the 2200 Series, including the Agency's suggested language (which has been proposed during the public comment period for the 2200 Series) to amend Rule 2223 to explicitly identify AISNE as a recognized accrediting agency and give notice in Rule 2223 of the State Board's intent to repeal Rule 7320 on July 1, 2024. The State Board's August 2021 agenda included the opportunity for public comment.
6. At its September 15, 2021 meeting, the State Board reviewed the proposed amendments to the Rule 7000 Series and provided the opportunity for public comment.
7. The proposed amendments to the Rule 7000 Series are now posted on the Agency's website with notice of the opportunity for public comment.
8. In accordance with 3 V.S.A. §840, the State Board will hold one public comment hearing on Wednesday, December 1, 2021, from 4pm - 5pm.
8. Another opportunity for members of the public who wish to comment on the proposed changes to the rules is to email comments to SBE.PublicComment@vermont.gov. The public comment period will be open through December 10, 2021.